



10-25-04

Page 1 of 2

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,304	01/28/2004	Werner G. Kuhr	ZC 03-01

25235  
HOGAN & HARTSON LLP  
ONE TABOR CENTER, SUITE 1500  
1200 SEVENTEENTH ST  
DENVER, CO 80202

CONFIRMATION NO. 9364

## FORMALITIES LETTER



\*OC00000013000909\*

10/26/2004 RHEBRAHT 00000001 10766304

01 FC:2001	395.00 DP
02 FC:2051	65.00 DP
03 FC:2202	189.00 DP
04 FC:2201	44.00 DP

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 3.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$232 as a small entity, including any required multiple dependent claim fee, are

required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$682** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
  
- Total additional claim fee(s) for this application is **\$232**
  - **\$43** for **1** independent claims over 3.
  - **\$189** for **21** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



EV423775858US

PATENT  
Attorney Docket No.: ZC 03-01  
Express Mail Label No.: EV 423775858 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Kuhr et al.	Confirmation No.: 9364
Appln. No.	: 10/766,304	Group Art Unit: 2818
Filed	: January 28, 2004	Examiner: Not Yet Assigned
Title	: MOLECULAR MEMORY ARRAYS AND DEVICES	

## CERTIFICATE OF MAILING BY EXPRESS MAIL

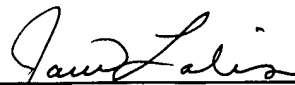
MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

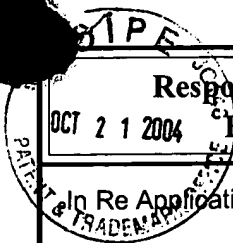
1. Response to Notice to File Missing Parts of Application (3 pages);
2. Copy of Notice to File Missing Parts of Application (2 pages);
3. Copy of Executed Declaration (3 pages);
4. Preliminary Amendment (3 pages);
5. One (1) Replacement Drawing Sheet;
6. One (1) Annotated Drawing Sheet Showing Changes;
7. Check in the Amount of \$908.00;
8. Certificate of Mailing by Express Mail (1 page); and
9. Return Card

relating to the above application, were deposited as "Express Mail" under 37 CFR § 1.10, Mailing Label No. EV 423775858 US, with the United States Postal Service addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 21, 2004.

  
\_\_\_\_\_  
Mailer's Signature  
Print Name: Jane Lalis

Dorsey &amp; Whitney LLP

Tel: 303-629-3400  
Fax: 303-629-3450

**Response To Notice To File Missing Parts Of Application****Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.

ZC 03-01

In Re Application Of: **Kuhr et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/766,304	January 28, 2004	Not Yet Assigned	20686	2818	9364

Invention: **MOLECULAR MEMORY ARRAYS AND DEVICES**Mail Stop Missing PartsCOMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
June 21, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

- Preliminary Amendment (3 pages);  
- One (1) Replacement Drawing Sheet;  
- One (1) Annotated Drawing Sheet Showing Changes

10/26/2004 RHEBRAFT 00000001 10766304 215.00 0P  
05 FC:2252

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
ZC 03-01

In Re Application Of: **Kuhr et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/766,304	January 28, 2004	Not Yet Assigned	20686	2818	9364

Invention: **MOLECULAR MEMORY ARRAYS AND DEVICES**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	<u>\$395.00</u>
<input type="checkbox"/> Design application filing fee	<u>                    </u>
<input checked="" type="checkbox"/> Total number of independent claims = <u>4</u>	<u>\$44.00</u>
<input checked="" type="checkbox"/> Total number of claims = <u>41</u>	<u>\$189.00</u>
<input type="checkbox"/> Multiple dependent claims	<u>                    </u>
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	<u>\$65.00</u>
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	<u>                    </u>
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	<u>                    </u>
<input type="checkbox"/> Fee for processing and retention of application	<u>                    </u>
Total completion of application fees	<u>\$693.00</u>

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month      ☒ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: August 21, 2004      until: October 21, 2004  
*Date*      *Date*

Total time extension fees \$215.00

Total fees due \$908.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
ZC 03-01

In Re Application Of: **Kuhr et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/766,304	January 28, 2004	Not Yet Assigned	20686	2818	9364

Invention: **MOLECULAR MEMORY ARRAYS AND DEVICES**

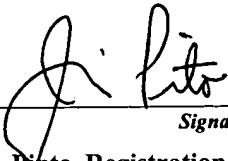
TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of **\$908.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **04-1415**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-1415**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



*Signature*

**James A. Pinto, Registration No. 40,774  
Dorsey & Whitney LLP  
Republic Plaza Building, Suite 4700  
370 Seventeenth Street  
Denver, CO 80202-5647  
Phone: (303) 629-3400  
Fax: (303) 629-3450  
USPTO Customer No. 20686**

Dated: **October 21, 2004**

<del>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22304-1450" (37 CFR 1.82) on</del>
<del>(Date)</del>
<del>Signature of Person Mailing Correspondence</del>
<del>Typed or Printed Name of Person Mailing Correspondence</del>

CC: